

Waiver of Indictment

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

WAIVER OF INDICTMENT

I, Denis King, Esq., the attorney for the above-named defendant, who is accused of negligently discharging a pollutant into the navigable waters of the United States in violation of 33 U.S.C. §§1319(c)(1)(A), 1311(a)(2 counts), having advised the company of the nature of the charges(s), the proposed information, and its rights, hereby waive on behalf of the defendant (as authorized by the General Partner of the defendant) in open court on June 30, 2004 prosecution by indictment and consent that the proceeding may be by information instead of by indictment.

W. Kintz

Defendant

Counsel for the Defendant
as authorized by a duly executed power of attorney

Before:

Judicial Officer

Judicial Officer